

C3 16. (Amended) A composition as claimed in Claim 13 wherein the [carrier] glycogen molecule is Type III glycogen.

C4 18. (Twice Amended) A composition as claimed in Claim 17 wherein the indicator molecule and the [carrier] glycogen molecule are coupled via an amine linkage.

22. (Amended) A composition as claimed in Claim 13 wherein the [polymeric carrier] indicator molecule is [coupled to a] pH-responsive [indicator molecule].

C5 23. (Amended) A composition as claimed in Claim 22 wherein the [polymeric carrier molecule is coupled to a] pH-responsive indicator molecule is selected from [a] the group consisting of parosoiniline, New Fuchsin, and a succinimidyl ester.

24. (Amended) A composition as claimed in Claim 13 further comprising a nucleic acid molecule[, the nucleic acid molecule and the carrier molecule being provided in an aqueous environment].

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REMARKS

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In an Office Action mailed May 28, 1999, the Examiner withdrew all pending rejections under 35 U.S.C. §112, second paragraph, 35 U.S.C. §102(a), and 35 U.S.C. §103. The Examiner imposed a new rejection of Claims 1-24 under 35 U.S.C. §103 over Gaillard et al. (1990) in view of Arbige et al. (4,927,644) or Burrows et al. (4,435,429). In view of the amendments noted above and the arguments presented herein, applicant respectfully requests reconsideration of the merits of this patent application.

Applicant respectfully traverses the rejection of product Claims 1-12 because the cited art includes no suggestion of the desirability of coupling an indicator molecule to a polymeric carrier and using the resulting molecule to precipitate nucleic acid from an aqueous solution. Applicant does not dispute that Gaillard et al. teaches the effective use of a polysaccharide, namely glycogen, as a carrier molecule. The Examiner admits that Gaillard does not teach coupling the carrier to an indicator molecule. As an aside, applicant notes that Claim 1 does not require covalent attachment of the indicator molecule.

To bridge the gap between Gaillard et al. and the claims, the Examiner cites either Arbige et al. or Burrows et al. which merely mention polysaccharides having covalently attached reporter dyes. Beyond that, the two patents do not relate in any way to nucleic acid precipitation, or indeed to nucleic acids at all. Arbige relates to entrainment of enzymes in cheese curds while Burrows describes an oat separation method. The mere presence of these documents in the diverse and voluminous "molecular biology art" does not create within the